

LAW OFFICE OF

JUSTIN A. ZELLER, P.C.

JUSTIN A. ZELLER
JAZELLER@ZELLERLEGAL.COM

JOHN M. GURRIERI
JMGURRIERI@ZELLERLEGAL.COM

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC # _____
DATE FILED: May 17, 2020

TELEPHONE: 212.229.2249
FACSIMILE: 212.229.2246

MEMO ENDORSED

VIA ECF

Hon. Edgardo Ramos, United States District Judge
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse

Re: *Moreno-Baez v. Snack Company, LLC et al*, 14 CV 6914 (ER)

Dear Judge Ramos:

This firm represents the plaintiff in the above-referenced action.

On January 12, 2015, Kevin S. O'Donoghue and Daniel R. Swanson, then associated with Helbraun Levey, LLP, appeared on behalf of all defendants.

On March 2, 2016, Rob J. Ontell, then associated with Helbraun Levey, LLP, appeared on behalf of Snack Company Bedford, LLC, and Adam Greene.

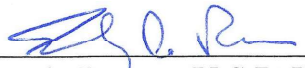
On February 25, 2020, the Court dismissed plaintiff's claims against the defendant Elias Varkoutas.

The defendants Snack Company, LLC; Snack Company Bedford, LLC; and Adam Greene still remain in this case. Kevin S. O'Donoghue and Daniel R. Swanson are attorneys of record for all defendants, and Rob J. Ontell for Snack Company Bedford, LLC; and Adam Greene. The plaintiff has been informed that at least Rob J. Ontell and Kevin S. O'Donoghue are no longer associated with Helbraun Levey, LLP, yet the plaintiff notes they are still nonetheless attorneys of record despite this.

On February 27, 2020, the plaintiff submitted a status report with consent of Lee Jacobs, an attorney from Helbraun Levey, LLP, informing the Court that two of the attorneys who appeared on behalf of the remaining defendants are no longer associated with Helbraun Levey, LLP. The status report also informed the Court that Helbraun Levey, LLP, had still been unable to contact the remaining defendants as of that date.

On Tuesday, the plaintiff emailed Lee Jacobs, asking if Helbraun Levey, LLP, will be representing the remaining defendants. The plaintiff has not received a response to the email. If Adam Greene will proceed *pro se*, the plaintiff needs to be able to correspond with him, so that he can be served with any motions or work on any joint pretrial documents. If the LLCs are unrepresented, they will be in default. Currently, Helbraun Levey, LLP, is still attorney of record for the remaining defendants. The plaintiff seeks Court intervention to institute a deadline whereby the defense counsel will either move to be relieved as counsel or confirm they will continue to represent the remaining defendants. This determination is required before the case can proceed.

Defendants are directed to respond by
May 22, 2020.
SO ORDERED.


Edgardo Ramos, U.S.D.J.
Dated: May 17, 2020
New York, New York

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'J. M. Gurrieri', with a stylized flourish at the end.

John M. Gurrieri